

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: By **CHAIRMAN ALAN OLSON**, on February 19, 2005 at 12:00 P.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Alan Olson, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Dennis Himmelberger, Vice Chairman (R)
Rep. George G. Groesbeck (D)
Rep. Robin Hamilton (D)
Rep. Hal Jacobson (D)
Rep. Harry Klock (R)
Rep. John Parker (D)
Rep. Wayne Stahl (R)
Rep. Karl Waitschies (R)
Rep. Brady Wiseman (D)

Members Excused: Rep. Robyn Driscoll (D)
Rep. Mark E. Noennig (R)
Rep. Diane Rice (R)

Members Absent: None.

Staff Present: Todd Everts, Legislative Branch
Cynthia Peterson, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted:
Executive Action: HB 389

REP. ALAN OLSON, HD 45, ROUNDUP, Chairman of the Federal Relations, Energy, and Telecommunications Committee, opened the meeting by apologizing for his behavior at the end of the February 18, 2005, meeting.

REP. BRADY WISEMAN, HD 65, BOZEMAN, also voiced his apology for behaving harshly with **REP. SONJU's** bill and stated he had apologized to **REP. SONJU**.

REP. HAL JACOBSON, HD 82, HELENA, asked the Committee to acknowledge that everyone has been under incredible pressure and an impossible schedule. **REP. JACOBSON** stated he completely understands and is not particularly bothered by occasional outbursts.

REP. GALLIK pointed out that the same type of behavior was occurring in other committee meetings around the Capitol.

REP. OLSON commended the Committee for their expeditious, hard work at the February 18, 2005, meeting.

(**REP. HIMMELBERGER** chairs the meeting.)

EXECUTIVE ACTION ON HB 389

(Note: This is a continuation of Executive Action from February 18, 2005.)

Motion: **REP. OLSON** moved that HB 389 DO PASS AS AMENDED.

Motion: **REP. OLSON** moved that HB038911.ate BE ADOPTED.
[EXHIBIT](#)(feh41a01)

Discussion:

REP. JOHN PARKER, HD 23, GREAT FALLS, clarified that amendments HB038907.ate, HB038908.ate, and HB038909.ate had already been voted on and adopted by the Committee. The Committee agreed.

[EXHIBIT](#)(feh41a02)

[EXHIBIT](#)(feh41a03)

[EXHIBIT](#)(feh41a04)

REP. OLSON explained HB038911.ate was to address concerns about what would happen if Northwestern Energy (NWE) received preapproval and then decided to backout.

Vote: Motion carried unanimously by roll call vote with REP. RICE, REP. DRISCOLL and REP. NOENNIG voting by proxy.

Motion/Vote: REP. OLSON moved that HB 389 DO PASS AS AMENDED. Motion carried 8-6 by roll call vote with REP. GALLIK, REP. HAMILTON, REP. JACOBSON, REP. PARKER, and REP. WISEMAN voting no, REP. DRISCOLL voting no by proxy, and REP. RICE and REP. NOENNIG voting aye by proxy.

REP. GALLIK commented he was not present at the February 18, 2005, hearing and had requested REP. PARKER to cast his proxy vote on the Great Falls coal fire to change his vote from "yes" to "no." REP. GALLIK wanted the Committee to understand that he does not support the bill, but because of the fact there were huge amendments placed on the bill at the last moment, REP. GALLIK did not feel there had been sufficient debate on the proposed amendments. It was for that reason alone, REP. GALLIK changed his vote to allow the debate to continue on the floor of the House. REP. GALLIK stated he still opposes the bill.

REP. GROESBECK expressed that everyone on the Committee works in good-faith and that sometimes lines of communication get crossed. REP. GROESBECK urged the Committee to continue to communicate with each other in a professional manner. REP. GROESBECK suggested there is an obligation to the public and constituents to bring issues to the table and to continue to work in good faith.

ADJOURNMENT

Adjournment: 12:10 P.M.

REP. ALAN OLSON, Chairman

CYNTHIA PETERSON, Secretary

AO/cp

Additional Exhibits:

EXHIBIT ([feh41aad0.PDF](#))